

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ULTRATEC, INC.,
Appellant

v.

CAPTIONCALL, LLC,
Appellee

**MICHELLE K. LEE, Director, U.S. Patent and
Trademark Office, UNITED STATES,**
Intervenors

2016-1706, -1707, -1710, -1712

Appeals from the United States Patent and Trade-
mark Office, Patent Trial and Appeal Board in Nos.
IPR2013-00540, IPR2013-00541, IPR2013-00544, and
IPR2013-00545.

ULTRATEC, INC.,
Appellant

v.

CAPTIONCALL, LLC,
Appellee

**MICHELLE K. LEE, Director, U.S. Patent and
Trademark Office, UNITED STATES,**
Intervenors

2016-1708, -1709, -1715

Appeals from the United States Patent and Trade-
mark Office, Patent Trial and Appeal Board in Nos.
IPR2013-00542, IPR2013-00543, and IPR2013-00550.

ULTRATEC, INC.,
Appellant

v.

CAPTIONCALL, LLC,
Appellee

**MICHELLE K. LEE, Director, U.S. Patent and
Trademark Office, UNITED STATES,**
Intervenors

2016-1713, -2366

Appeals from the United States Patent and Trade-
mark Office, Patent Trial and Appeal Board in Nos.
IPR2013-00549 and IPR2014-00780.

ON MOTION

Before HUGHES, *Circuit Judge*.

ULTRATEC, INC. v. CAPTIONCALL, LLC

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ORDER

Ultratec, Inc. moves to stay the above-pending appeals pending the disposition of a petition for a writ of certiorari to the Supreme Court of the United States in *Oil States Energy Services, LLC v. Greene's Energy Group, LLC*, No. 16-712. CaptionCall, LLC opposes the motion.

These appeals stem from nine *inter partes* review proceedings before the Patent Trial and Appeal Board concerning patents owned by Ultratec. On appeal, Ultratec intends to argue that the *inter partes* review process is “an unconstitutional delegation of judicial power to an executive agency, particularly when, as here, a U.S. District Court found the claims” to be “valid through summary judgment and/or jury verdict.” Ultratec argues that the same issue is raised in *Oil States* and notes that the Supreme Court recently requested the Director of the United States Patent and Trademark Office to submit a response to the *Oil States* petition.

The power of this court to stay proceedings is incidental to our inherent power to control the disposition of cases on our docket. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). Here, Ultratec has not shown that a stay is warranted due to *Oil States*.

Accordingly,

IT IS ORDERED THAT:

The motion to stay is denied.

FOR THE COURT

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court